

**REMARKS**

Claims 1 and 3-13 are currently pending in the application. Claims 1, 3-5, and 11-12 have been amended. New claim 13 has been added. Claim 2 has been canceled. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 1, 3/1, 4/1, 5-8, and 10-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,577,861 to Ogasawara ("Ogasawara"). Independent claim 1 is directed to a portable communication apparatus. Ogasawara relates to an electronic shopping system that facilitates purchase transactions via a wireless telephone. Ogasawara discloses a wireless telephone including call processing software, an RF synthesizer, a mixer, a fixed oscillator, a duplexer, and an antenna. A transmitter includes an analog-to-digital converter, a speech coder, a modulator, and a radio frequency amplifier.

The Office Action concedes that Ogasawara does not disclose a switching device having a first input coupled to a microphone. In addition, the Office Action concedes that Ogasawara does not disclose the switching device having a second input coupled to a reading device and a control unit for selecting whether a first or a second analog electric signal is to be forwarded to a processing device.

Applicant respectfully submits that Ogasawara fails to teach or suggest at least one of the distinguishing features of independent claim 1, namely, a switching device having a first input coupled to a microphone, a second input coupled to a reading device, and a control input for receiving a control signal for selecting whether a first or a second analog electric signal is to be forwarded to a processing device. Applicant respectfully submits that claim 1 distinguishes over Ogasawara and is in condition for allowance. Withdrawal of the rejection of claim 1 as anticipated by Ogasawara is respectfully requested.

Dependent claims 3-8 and 10 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 3-8 and 10 distinguish

over Ogasawara and are in condition for allowance. Withdrawal of the rejection of dependent claims 3-8 and 10 is respectfully requested.

Independent claim 11 is directed to a portable communication apparatus. Ogasawara relates to an electronic shopping system that facilitates purchase transactions via a wireless telephone. Ogasawara discloses a wireless telephone including call processing software, a RF synthesizer, a mixer, a fixed oscillator, a duplexer, and an antenna. A transmitter includes an analog-to-digital converter, a speech coder, a modulator, and a radio frequency amplifier. The Office Action concedes that Ogasawara does not disclose a switching device having a first input coupled to a microphone. In addition, the Office Action concedes that Ogasawara does not disclose the switching device having a second input coupled to a reading device.

Applicant respectfully submits that Ogasawara fails to teach or suggest at least one of the distinguishing features of independent claim 11, namely, a switching device having a first input coupled to a microphone and a second input coupled to a reading device. In addition, Ogasawara fails to teach or suggest a processing device, wherein the processing device is adapted to process a first and a second electric analog electric signal through a single signal path. Applicant respectfully submits that claim 11 distinguishes over Ogasawara and is in condition for allowance. Withdrawal of the rejection of claim 11 as anticipated by Ogasawara is respectfully requested.

Claims 2, 3/2, 4/2, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogasawara in view of U.S. Patent No. 5,923,735 to Swartz et al. ("Swartz").

Dependent claim 2 has been canceled, thus rendering the rejection of claim 2 moot. Dependent claims 3-4 depend from and further restrict independent claim 1 in a patentable sense. Swartz has been cited as teaching a first input and a second input coupled to a microphone and a reading device, respectively. Applicant respectfully submits that Swartz fails to cure the deficiencies of Ogasawara noted above. Applicant respectfully submits that dependent claims 3-4 distinguish over Ogasawara in view of Swartz and are in condition for allowance. Withdrawal of the rejection of dependent claims 3-4 is respectfully requested.

Independent claim 12 relates to a portable communication apparatus. Ogasawara discloses a wireless telephone including call processing software, a RF synthesizer, a mixer, a fixed oscillator, a duplexer and an antenna. A transmitter includes an analog-to-digital converter, a speech coder, a modulator, and a radio frequency amplifier. The Office Action concedes that Ogasawara does not disclose a switching device having a first input coupled to a microphone. In addition, the Office Action concedes that Ogasawara does not disclose the switching device having a second input coupled to a reading device and a control unit for receiving a control signal for selecting whether a first or a second analog electric signal is to be forwarded to a processing device.

Swartz has been cited in the Office Action as teaching a switching device having a first input coupled to a microphone and a second input coupled to a reading device. Swartz relates to a system for transferring data between a centrally located site and a portable communications terminal via a telephone network. The portable communications terminal of Swartz discloses two basis operating modes, a phone mode represented by reference numeral 6 (Figure 1 of Swartz) and a scan mode represented by reference numeral 6 (Figure 1 of Swartz). The phone key 6 places the communications terminal in a cellular phone operating mode, while scan key 5 places the communications terminal to operate as a barcode scanning terminal. In contrast to claim 12, there is no teaching or suggestion by Swartz of a switching device having a first input coupled to a microphone. In addition, Swartz does not teach, suggest, or render obvious the switching device having a second input coupled to a reading device. In Swartz, the phone key 6 and the scan key 5 are mode selection keys. Applicant also respectfully submits that Swartz does not disclose a control input for receiving a control signal for selecting whether a first or a second analog electric signal is to be forwarded to a processing device.

Applicant respectfully submits that the cited combination of Ogasawara and Swartz fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 12, namely, a switching device having a first input coupled to a microphone, the switching device having a second input coupled to a reading device. In addition, Applicant respectfully submits that there appears to be no disclosure in any of the cited references of a control input for receiving a control signal for selecting whether a first or a second analog electric signal is to be forwarded to a processing device. Swartz also does not disclose a signal

from a scan module and a signal from a phone module being received simultaneously at a processing device. Applicant respectfully submits that independent claim 12 distinguishes over the cited combination of Ogasawara and Swartz. Withdrawal of the rejection of independent claim 12 is respectfully requested.

New claim 13 depends from and further restricts independent claim 12 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 12, dependent claim 13 is in condition for allowance. In addition, none of the cited references of Ogasawara and Swartz discloses a processing device adapted to process a first and a second analog electric signal through a single signal path. In Ogasawara, the first and second signals are not processed through a single signal path. Swartz fails to disclose how the signals are processed.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogasawara in view of U.S. Patent No. 5,604,640 to Zipf et al. ("Zipf"). Dependent claim 9 depends from and further restricts independent claim 1 in a patentable sense. Zipf has been cited as teaching a magnetic sensor comprising a coil. Applicant respectfully submits that Zipf fails to cure the deficiencies of Ogasawara noted above. Applicant respectfully submits that dependent claim 9 distinguishes over Ogasawara in view of Zipf and is in condition for allowance. Withdrawal of the rejection of dependent claim 9 is respectfully requested.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogasawara in view of Swartz as in claim 4/2 and further in view of Zipf. Dependent claim 9 depends from and further restricts independent claim 1 in a patentable sense. Zipf has been cited as teaching a magnetic sensor comprising a coil. Applicant respectfully submits that Zipf fails to cure the deficiencies of Ogasawara and Swartz noted above. Applicant respectfully submits that dependent claim 9 distinguishes over Ogasawara in view of Swartz and further in view of Zipf and is in condition for allowance. Withdrawal of the rejection of dependent claim 9 is respectfully requested.

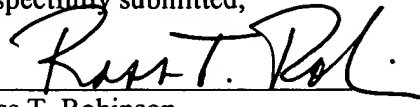
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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